



STATE PROCUREMENT OFFICE
NOTICE OF REQUEST FOR EXEMPTION
FROM HRS CHAPTER 103D

ADMINISTRATION JUN 26 09:39
STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Department of Health
Name of Requesting Department

Pursuant to HRS § 103D-102(b)(4) and HAR chapter 3-120, the Department requests a procurement exemption for the following:

1. Describe the goods, services or construction:

Design, implement, host and maintain a web-based portal for use by the Department of Health (DOH) for conducting state and federally required background checks on healthcare workers at state licensed or Medicare certified healthcare facilities in Hawaii. Services are part of the DOH's implementation of a modern background check system envisioned in partnership with the Hawaii Department of Human Services (DHS) and the Hawaii Criminal Justice Data Center (HCJDC) and provided under a \$797,000 grant from the U.S. Centers for Medicare and Medicaid Services (CMS) specifically for the implementation of an automated background screening system. CFDA No. 93.506; Grant No. 1A1CMS331099-01-01; Project period 12/17/2012 through 12/16/2015 with possibility of no-cost annual extensions; Program Title: Upgrading Hawaii's Criminal Background Check System.

2. Vendor/Contractor/Service Provider

CNA

3. Amount of Request:

\$ 0

4. Term of Contract From: 6/1/2014

To: 12/16/2015

5. Prior SPO-007, Procurement Exemption

~~PE 14-928~~ or extended (PE):

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:

CMS had directly contracted with CNA to provide technical assistance (TA) to States that receive grants under the National Background Check Program (NBCP). The core system to be developed is unique and has been highly customized for States who are implementing a NBCP. There is no other system available as an off the shelf system that can meet the terms of the grant and be provided through competitive procurement. CNA is available to assist the Hawaii DOH in the development, implementation, operations, and reporting of State systems to conduct background checks on applicants for direct access employment with long term care facilities such as skilled nursing facilities and other healthcare providers. TA provided by CNA is funded directly by CMS and is available to grantee States such as to Hawaii as an adjunct to its grant awards. As a result, funding for this TA does not come out of Hawaii's grant funds, which makes it not advantageous to procure by competitive means.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

CMS selected the vendor through their internal federal processes and contracted with them directly. States who receive grants under the NBCP were not involved in this selection, procurement or contracting processes.

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).

*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Agency	Phone Number	e-mail address
Keith R. Ridley*	Office of Health Care Assurance	(808) 692-7227	Keith.Ridley@DOH.Hawaii.gov

*All requirements/approvals and internal controls for this expenditure is the responsibility of the department.
I certify that the information provided above is, to the best of my knowledge, true and correct.*



Department Head Signature

6-24-2014

Date

For Chief Procurement Officer Use Only

Date Notice Posted: 6/26/14

Inquiries about this request shall be directed to the contact named in No. 8. Submit written objection to this notice to issue an exempt contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

CPO Comments for PE14-092B

Approval is granted for the period 7/1/14 to 12/31/15, with the understanding that the department has determined that it is not advantageous to conduct a competitive procurement to design, implement, host and maintain a web-based portal, as the core web-based portal has been procured and contracted by the U.S. Centers for Medicare and Medicaid (CMS) and that CNA, through the CMS contact, will provide the core portal and technical assistance to develop a State specific portal.

This approval is for the solicitation process only. Pursuant to HRS section 103D-310(c) and HAR section 3-122-112, the procuring officer shall verify compliance (i.e. vendor is required to be compliant on the Hawaii Compliance Express) for all contracts awarded and award is required to be posted on the Awards Reporting System. Copies of the HCE certificate and awards posting are required to be documented into the procurement/contract file.

SPO does not have a record of Keith Ridley taking workshop #125, *Exemption for HRS 103D*. Department is reminded that individual(s) participating in procurement activities must be in compliance with Procurement Delegation No. 2010-01 and Amendment 1, and Procurement Circular No. 2010-05, *Statewide Procurement Training*, as appropriate.

If there are any questions, please contact Bonnie Kahakui at 587-4702, or bonnie.a.kahakui@hawaii.gov.

☒ Approved

☐ Disapproved

☐ No Action Required



Chief Procurement Officer Signature

7/8/14

Date